

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-4, 6-10, 12, 14, 16, 17, 19, and 20 are pending in the present application, Claims 1, 6, 8, 12, 14, 16, 19, and 20 having been amended, and Claims 5, 11, 13, 15, 18, and 21 having been canceled without prejudice or disclaimer. Support for the amendments to Claims 1, 8, 12, 14, 16, 19, and 20 is found, for example, in the originally presented claims. Applicants respectfully submit that no new matter is added. Furthermore, no new issues are raised and Applicants respectfully request that the present amendment be entered.

In the outstanding Office Action, Claims 1-21 were rejected under 35 U.S.C. § 103(a) as unpatentable over Paradinas et al. (U.S. Patent Publication No. 2002/0116478, hereinafter Paradinas) in view of Shields et al. (U.S. Patent Publication No. 2003/0225797, hereinafter Shields).

With respect to the rejection of Claim 5, the subject matter which is now included in amended Claim 1, Applicants respectfully traverse this ground of rejection. Amended Claim 1 further defines the program addition file. Particularly, the program addition file includes “a program file, an electronic signature of the program file, a configuration file, and an electronic signature of the configuration file.” Paradinas and Shields fail to disclose or suggest the claimed program addition file as described in amended Claim 1.

When rejecting Claim 5, the Office Action relies on Paradinas, particularly paragraphs [0039]-[-0041]. However, paragraphs [0039]-[0041] do not disclose or suggest a program addition file including “a program file, an electronic signature of the program file, a configuration file, and an electronic signature of the configuration file.”

Paragraph [0039] of Paradinas merely refers to a description of the application as produced. There is no mention of “a program file, an electronic signature of the program file, a configuration file, and an electronic signature of the configuration file.”

Paragraph [0040] of Paradinas describes that the description is stored in smart card 16. There is no mention of “a program file, an electronic signature of the program file, a configuration file, and an electronic signature of the configuration file.”

Paragraph [0041] of Paradinas describes a software component labeled a bootstrap. However, there is no disclosure or suggestion that the description of the application or the bootstrap includes “a program file, an electronic signature of the program file, a configuration file, and an electronic signature of the configuration file.”

When rejecting Claim 5, the Office Action provides no analysis as to how the components of the program addition file are being construed. The Office Action appears to be relying upon mere speculation as to the contents of the description of the application and bootstrap files described in Paradinas.

Furthermore, Shields has been considered but does not disclose or suggest the program addition file as defined by amended Claim 1.

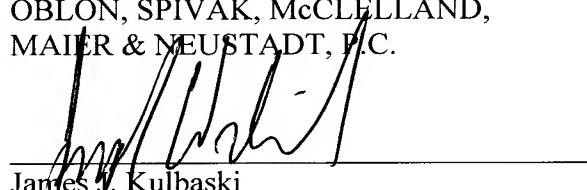
Thus, the outstanding Office Action is deficient in that it does not establish a *prima facie* case of obviousness for the subject matter previously presented in Claim 5, and presently presented in amended Claim 1.

In view of the above discussion, Applicants respectfully submit that Claim 1 (and any claims dependent thereon) patentably distinguish over Paradinas in view of Shields. Claims 8, 12, 14, 16, 19, and 20 recite elements similar to those of amended Claim 1. Accordingly, Claims 8, 12, 14, 16, 19, and 20 patentably distinguish over Paradinas in view of Shields, for at least the reasons stated for Claim 1.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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